

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VIJAYA GOPU, *et al.*, :
Plaintiffs, :
: 21 Civ. 484 (JPC)
-v- :
LUCKIN COFFEE INC., *et al.*, :
Defendants. :
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JOHN P. CRONAN, United States District Judge:

On August 12, 2022, the Court issued an Order requiring that Plaintiffs file a status update letter with the Court by August 18, 2022. Dkt. 26. On August 22, 2022, after Plaintiffs failed to file this letter, the Court ordered them to file the status update by August 26, 2022. Dkt. 27. To date, Plaintiffs have not filed this status letter.

Federal Rule of Civil Procedure 41 authorizes a court to dismiss an action for failure to prosecute or comply with an order of the Court. Fed R. Civ. P. 41(b); *see LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) ("[I]t is unquestioned that Rule 41(b) also gives the district court authority to dismiss a plaintiff's case *sua sponte* for failure to prosecute . . .").

It is hereby ORDERED that Plaintiffs inform the Court by September 15, 2022, whether they intend to proceed with this case, and if so, Plaintiffs are further ORDERED to show cause why their action should not be dismissed for failure to prosecute.

If Plaintiffs fail to inform the Court of their intent to proceed with this case and show cause why their action should not be dismissed by September 15, the Court may dismiss this action for failure to prosecute without further notice.

SO ORDERED.

Dated: September 6, 2022
New York, New York



JOHN P. CRONAN
United States District Judge